



## COMMISSION ON INTERSCHOLASTIC ATHLETICS MAJOR RECOMMENDATIONS AND KHSAA RESPONSES

I Commission Recommendation: *Streamline KHSAA Due Process Procedure for student eligibility matters.*

KHSAA Response: Change Due Process Procedure and still comply with KRS Chapter 13b as follows (Revisions submitted with regulation for action at June meeting):

- KHSAA staff (one of the four Assistant Commissioners) makes initial ruling.
- Hearing Officer issues a recommended order.
- Agency Head (Commissioner) issues the final order.
- The Due Process Procedure will be reviewed on an annual basis for consideration of further revisions.

NOTE: KHSAA will pilot a program that utilizes local regional committees for research into specifics to attempt to have the complete information prior to the first ruling.

II Commission Recommendation: *Increase compliance efforts*

KHSAA Response: Review staffing at Association office as well as expand efforts among local individuals.

- Hire an additional Assistant Commissioner to assist with the KHSAA office workload and allow for office-wide revision of duties.
- Designate a primary executive staff person for compliance with supervisory role in matters under investigation.
- Review eligibility process by adjusting executive staff job descriptions and add compliance and/or ruling components (perhaps bylaw specific) to each.
- Establish new procedures for student eligibility, compliance, and investigations.
- Utilize regional committees for investigative research on an as needed basis.
- Restructure penalty procedures to involve the Board of Control in final major penalties and infractions for member school violations of adopted KHSAA rules.

III Commission Recommendation: *Solicit bids or proposals for the KHSAA Audit*

KHSAA Response: Concur with recommendation.

- Send out an RFP for the KHSAA Audit for the 2008-2009 school year operations.
- Repeat this process on a regular basis (every three to five years).

IV Commission Recommendation: *For the purpose of cost containment, KHSAA should consider hiring an in-house counsel for the majority of legal issues and access other legal counsel representation when needed.*

KHSAA Response: The KHSAA Board of Control is currently considering the Commissioner's recommendation to restructure the basic legal representation for optimal coverage and cost efficiency. This could be done by establishing a schedule for part-time regular counsel for general legal representation. This matter will continue to be reviewed by the Board of Control at its June meeting.

- Contract with counsel on a part-time basis for legal matters to include such items as:
  - A regular and routine schedule of work at office for review of general items.
  - Board of Control matters including Board meetings and coverage at appeal hearings.
  - Contract review.
  - Personnel matters and policies.
  - Major policy review to include Constitution & Bylaws proposed changes.

- Items related to HIPPA, FIRPA, and other regulations.
- Local school district level litigation (i.e., TRO's etc).
- Continue with Greenebaum, Doll and McDonald for major litigation and/or lawsuits against the Association.
- Evaluate cost & efficiency of legal representation at the end of the 2008-2009 school year.

V Commission Recommendation: *Review KHSAA current Constitution & Bylaws*

KHSAA Response: Continue to scrutinize Bylaws & Regulations, along with proposed changes.

- Thoroughly review any and all proposals received from the membership for rules changes.
- Evaluate the potential for exposure to litigation prior to inclusion on Annual Meeting agenda.
- Evaluate the potential for exposure to litigation prior to making final recommendations to KBE for approval of changes.
- Review Bylaw 4 to ensure that it applies consistently to all schools regardless of the school structure.

VI Commission Recommendation: *Create additional educational material for use by member school personnel, coaches, student athletes, and parents for a better understanding of KHSAA rules.*

KHSAA Response: Continue projects under development and discussion.

- Prepare electronic media for use by parents to better educate them on eligibility rules. (Could be web-based or DVD)
- Prepare electronic media for use by coaches to better educate them on eligibility rules. (Could be web-based or DVD)
- Prepare compliance material for use by coaches, and for use by administrators with coaches. Could be print, web-based or DVD.
- Utilize outside programs such as the "STAR" program to emphasize the positive values of athletics and the need for good sportsmanship.